

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JOSE LUIS RUIZ-MARTINEZ,

Petitioner,

-v-

ALBERTO GONZALEZ,
as Attorney General of the United States, et al.,

Respondents.

FILED

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U.S. DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

05-CV-06251Fe

ORDER

WHEREAS on May 11, 2005, the President signed into law the "Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005," Pub. L. No. 109-13, 119 Stat. 231, and Division B thereof is referred to as the "REAL ID Act," and


WHEREAS, pursuant to the REAL ID Act § 106(a), the exclusive means of review of an administrative order of removal, deportation, or exclusion is a petition for review to the appropriate court of appeals, and

WHEREAS petitioner challenges an administrative order of removal which was the result of immigration proceedings completed within this Circuit, and

WHEREAS the petition was filed on or after May 11, 2005, and

IT IS ORDERED that the instant petition is hereby transferred to the Second Circuit Court of Appeals and **any and all requests for a stay of removal must be immediately raised and filed with the Second Circuit Court of Appeals.**

IT IS SO ORDERED.



Honorable Richard J. Arcara
United States District Judge

Dated: May 31, 2005